

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal Action No.
	)	07-00214-01-CR-W-DW
DARRYL KEITH MCCLINTON,	)	
	)	
Defendant.	)	

**ORDER**

On July 12, 2007, Defendant moved for a judicial determination of mental competency. Defendant was examined by Jeremiah Dwyer, Ph.D., a forensic psychologist. It is the opinion of Dr. Dwyer that defendant is competent to stand trial. During a hearing held before United States Magistrate Judge Robert Larsen on October 25, 2007, Defendant and the government stipulated to the report of Dr. Dwyer.

Therefore, with no objections having been filed and after making an independent review of the record, it is

ORDERED that Defendant's motion for judicial determination of mental competency is granted, the Report and Recommendation of Magistrate Judge Robert Larsen is adopted in its entirety, and this Court finds that Defendant is competent to stand trial. It is further

ORDERED that, pursuant to 18 U.S.C. § 3161(h)(1)(A), the time between July 12, 2007, and the date of this order is excluded in computing the time within which the trial of this criminal action must commence. It is further

ORDERED that this case is set for trial on the joint criminal jury trial docket which will commence November 26, 2007.

Date: November 5, 2007

/s/ Dean Whipple  
Dean Whipple  
United States District Judge